IN THE CLAIMS

- 1. (Previously Presented) A tailgate assembly, comprising:
 - a tailgate;
 - a sidewall; and
- a torsion spring having a first leg attached to the sidewall and a second leg attached to the tailgate, such that the torsion spring is actuated in a winding direction as the tailgate is opened.
- 2. (Original) A tailgate assembly according to Claim 1, wherein either the first leg, the second leg, or both legs of the torsion spring are removably attached.
- 3. (Original) A tailgate assembly according to Claim 1, wherein the torsion spring comprises about 2.5 coils.
- 4. (Original) A tailgate assembly according to Claim 1, wherein the thickness of the torsion spring is at least about 3/16 of an inch.
- 5. (Original) A tailgate assembly according to Claim 1, wherein the width of the torsion spring is at least about 3/16 of an inch.
- 6. (Original) A tailgate assembly according to Claim 1, wherein the torsion spring comprises a high-carbon steel.
- 7. (Previously Presented) A tailgate assembly according to Claim 6, wherein the high-carbon steel comprises about 1 percent carbon.
- 8. (Previously Presented) A tailgate assembly according to Claim 6, wherein the high-carbon steel comprises from about 0.96 to about 0.99 percent carbon.
- 9. (Previously Presented) A tailgate assembly according to Claim 6, wherein the high-carbon steel has a hardness from about 42 to about 46 Rockwell C.
- 10. (Previously Presented) A tailgate assembly according to Claim 6, wherein the high-carbon steel has a hardness from about 43 to about 45 Rockwell C.

11. (Original) A tailgate assembly, comprising:

a tailgate;

a sidewall;

a rod connected to the tailgate, such that the tailgate pivots about the rod to open and close; and

a torsion spring having coils around the rod and having a first leg attached to the sidewall and a second leg attached to the tailgate, such that the torsion spring is actuated in a winding direction as the tailgate is opened.

- 12. (Original) A tailgate assembly according to Claim 11, wherein either the first leg, the second leg, or both legs of the torsion spring are removably attached.
- 13. (Original) A tailgate assembly according to Claim 11, wherein the torsion spring comprises about 2.5 coils.
- 14. (Original) A tailgate assembly according to Claim 11, wherein the thickness of the torsion spring is at least about 3/16 of an inch.
- 15. (Original) A tailgate assembly according to Claim 11, wherein the width of the torsion spring is at least about 3/16 of an inch.
- 16. (Original) A tailgate assembly according to Claim 11, wherein the torsion spring comprises a high-carbon steel.
- 17. (Previously Presented) A tailgate assembly according to Claim 16, wherein the high-carbon steel comprises about 1 percent carbon.
- 18. (Previously Presented) A tailgate assembly according to Claim 16, wherein the high-carbon steel comprises from about 0.96 to about 0.99 percent carbon.
- 19. (Previously Presented) A tailgate assembly according to Claim 16, wherein the high-carbon steel has a hardness from about 42 to about 46 Rockwell C.
- 20. (Previously Presented) A tailgate assembly according to Claim 16, wherein the high-carbon steel has a hardness from about 43 to about 45 Rockwell C.

21. (Canceled)

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116

Serial Number: 10/734,716 Filing Date: December 12, 2003 <u>Title: Tailgate Assemblies</u>

- 22. (Canceled)
- 23. (Canceled)
- 24. (Previously Presented) A tailgate assembly, comprising:
 - a tailgate having a hole;
 - a tailgate support having a hole; and
- a torsion spring having a first leg inserted into the hole of the tailgate support and a second leg inserted into the hole of the tailgate, such that the torsion spring is actuated in a winding direction as the tailgate is opened.
- 25. (Previously Presented) A tailgate assembly according to Claim 24, wherein the tailgate support is a sidewall.